

SEP 14 2005

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September 14, 2005

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FAX

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Mail Stop AF U.S. Patent and Trademark Office	571-273-8300	Alexandria, VA 22313
Ex. Ramana; Art Unit 3732 U.S. Patent and Trademark Office	703-872-9306	Alexandria, VA 22313

Geoffrey K. Gavin

FROM

17

PAGES (WITH COVER)

1634

REFERENCE NO

39262/263783

CLIENT/MATTER NO.

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COMMENTS

The U.S. Patent and Trademark Office is asked to acknowledge receipt of the following:

1. Transmittal Form PTO/SB/21
2. Supplemental Information Disclosure Statement including 2 sheets of PTO/SB/08a
3. 11 sheets of PTO/SB/08a cited in related application

In re: Application of: Joseph FERRANTE, et al.

U.S. Patent Application No.: 10/067,052

For: External Fixation System

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PTO/SB/21 (09-04)

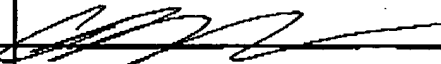
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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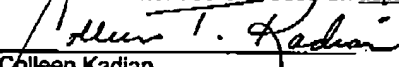
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/067,052
	Filing Date	February 4, 2002
	First Named Inventor	Joseph FERRANTE, et al.
	Art Unit	3732
	Examiner Name	RAMANA, Anuradha
Total Number of Pages in This Submission	Attorney Docket Number	39262/263783

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> SUPPLEMENTAL Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 2 sheets of Form PTO/SB/08a copies of 11 sheets of Initialed Form PTO/SB/08a in related application
<div style="border: 1px solid black; padding: 2px;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	KILPATRICK STOCKTON LLP		
Signature			
Printed Name	Geoffrey K. Gavin		
Date	September 14, 2005	Reg. No.	47,591

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document and all documents referred to as enclosed are being facsimile transmitted to the U.S. Patent and Trademark Office Central Fax No.: 571-273-8300 Mail Stop AF and to Examiner Ramana at Group Art Unit 3732 fax no. 703-872-9306 on September 14, 2005.


Colleen Kadian

SEP 14 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joseph FERRANTE, et al.

Serial No.: 10/067,052

Filed: February 4, 2002

For: EXTERNAL FIXATION SYSTEM

Group Art Unit: 3732

Examiner: Ramana, Anuradha

**Mail Stop AF
Commissioner of Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450**

Attorney Docket No. 39262/263783

Date: September 14, 2005

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the attached Form PTO/SB/08 are submitted for consideration by the Examiner.

The above-identified application is the parent application of U.S. Patent Application No. 10/172,654, now pending. Attached are copies of Form PTO/SB/08 citing publications previously cited and made of record by the Examiner in related parent U.S. Application No. 10/172,654 which have been initialed by the Examiner.

This paper and the publications cited on the attached Form PTO/SB/08 are submitted for consideration by the Examiner in the above-identified patent application. Applicants state that the publications listed on the attached Form PTO/SB/008 are identical to the

U.S. Serial No. 10/067,052

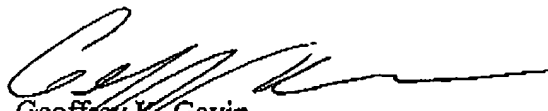
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

publications previously submitted and made of record in parent U.S. Patent Application No. 10/172,654. Pursuant to 37 CFR 1.98(d), copies are not being provided at this time.

Submission of the references provided in this Supplemental Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made, or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

The Commissioner is authorized to charge any fee in consideration of this paper to Deposit Account No. 11-0855.

Respectfully submitted,



Geoffrey K. Gavin
Registration No. 47,591

ATTORNEY FOR ASSIGNEE

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SEP 14 2005

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1448A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/067,052
Filing Date	02/04/2002
First Named Inventor	Joseph Ferrante
Group Art Unit	3732
Examiner Name	RAMANA, Anuradha
Attorney Docket Number	39262/263783

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		2003/0149429 A1	08/07/2003	Ferrante, et al.	
		Re. 31,809	01/22/1985	Danieletto, et al.	
		2,393,831	01/29/1946	Stader	
		4,696,293	09/29/1987	Ciullo	
		4,998,935	03/12/1991	Pennig	
		5,405,347	04/11/1995	Lee, et al.	
		5,437,686	08/01/1995	Tepic, et al.	
		5,827,282	10/27/1998	Pennig	
		5,931,837	08/03/1999	Marsh, et al.	
		6,010,501	01/04/2000	Raskin, et al.	
		6,024,745	02/15/2000	Paccioli, et al.	
		6,461,358 B1	10/08/2002	Faccioli, et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		WO 88/03395	05/19/1988	WIPO		
		27 45 504 A1	04/19/1979	Germany		
		0 611 007 A1	08/17/1994	Europe		
		WO 00/40183	07/13/2000	PCT		
		WO 03/065911	08/14/2003	PCT		
		WO 96/12443	05/02/1996	PCT		
		WO 97/10775	03/27/1997	PCT		
		WO 97/16128	05/09/1997	PCT		
		WO 98/36698	08/27/1998	PCT		
		WO 99/29247	06/17/1999	PCT		

Examiner Signature		Date Considered	
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PTO/SB/08B(10-01)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Sheet 2

2

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Filing Date	02/04/2002
First Named Inventor	Joseph Ferrante
Group Art Unit	3732
Examiner Name	RAMANA, Anuradha
Attorney Docket Number	39262/263783

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		International Search Report in related Application No. PCT/US03/39307	
		"Epiphyseal Distraction Hemichondrodysplasia," by Roberto Aklegheri, et al., <i>Clinical Orthopaedics and Related Research</i> , Number 241, pp. 126-136, April 1989	
		"Use of an Articulated External Fixator for Fractures of the Tibial Plafond," <i>The Journal of Bone and Joint Surgery</i> , pp. 1498-1509, 1995	
		Articulated External Fixation of Tibial Pilon Fractures: Effects on Ankle and Fragment Kinematics by D. C. Fitzpatrick, et al., 40 th Annual Meeting, Orthopaedic Research Society, February 21-24, 1994, New Orleans, Louisiana, one page	
		ORTHOFIX Brochure entitled "Ankle Fusion Technique," one page, undated	
		ORTHOFIX Brochure entitled "Arthrodiastasis Articulated Joint Distraction" by Dr. G. Trivella and Prof. M. Saleh, 8 pages (undated)	
		ORTHOFIX Operative Technique Brochure by Dr. J. L. Marsh and Dr. F. Lavini entitled "Distal Tibial and Pilon Fractures with the Radiolucent Ankle Clamp," pp. 1-21 (undated)	
		ORTHOFIX Operative Technique Brochure entitled "Distal Tibial and Pilon Fractures," by Dr. J. L. Marsh and Dr. F. Lavini, pp. 1-20, 10/16/2002	
		<i>Orthopedics Today</i> , Vol. 14, Number 11, "Swedish cartilage repair study offers hope, but more research is needed," pages 1 and 43, November 1994	
Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

PTO/SB/08A (10-01)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**NOV 18 2004
(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/172,654
Filing Date	June 14, 2002
First Named Inventor	Joseph FERRANTE, et al.
Group Art Unit	3732
Examiner Name	RAMANA, Anuradha
Attorney Docket Number	39262/273329

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if Known)				
AR ↑		2003/0149429 A1		08/07/2003	Ferrante, et al.	
		Re. 31,809		01/22/1985	Danielotto, et al.	
		2,393,831		01/29/1946	Stader	
		4,227,826		10/14/1980	Conrad	
		4,475,546		10/09/1984	Patton	
		4,696,293		09/29/1987	Clujlo	
		4,998,935		03/12/1991	Pennig	
		5,167,725		12/01/1992	Clark, et al.	
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		5,507,760		04/16/1996	Wynne, et al.	
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		5,662,648		09/1997	Faccioli et al.	
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		5,827,282		10/27/1998	Pennig	
		5,831,837		08/03/1999	Marsh, et al.	
		5,976,134		11/02/1999	Huebner	
		6,010,501		01/04/2000	Raskin, et al.	
		6,024,745		02/15/2000	Faccioli, et al.	
		6,036,691		03/14/2000	Richardson	
		6,461,358 B1		10/08/2002	Faccioli, et al.	
AL		6,503,340 B1		01/07/2003	Gold, et al.	

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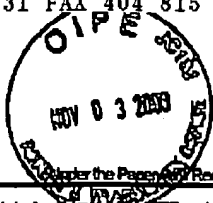
FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ² - Number ² - Kind Code ² (if Known)					
A1 ↑ AL		WO 88/03395		05/19/1988	WIPO		
		27 45 504 A1		04/19/1979	Germany		
		0 811 007 A1		08/17/1994	Europe		
		WO 00/40163		07/13/2000	PCT		
		WO 03/085911		08/14/2003	PCT		
		WO 98/12443		05/02/1996	PCT		
		WO 97/10775		03/27/1997	PCT		
		WO 97/16128		05/09/1997	PCT		
		WO 98/36698		08/27/1998	PCT		
		WO 99/29247		08/17/1999	PCT		
Examiner Signature				Date Considered		5/13/05	
Anuradha Ramana							

PTO/SB/08B(10-01)

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Substitute for Form 1449A/PTO		U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT NOV 19 2004 (use as many sheets as necessary)		Complete if Known	
		Application Number	10/172,654
		Filing Date	June 14, 2002
		First Named Inventor	Joseph FERRANTE
		Group Art Unit	3732
		Examiner Name	RAMANA, Anuradha
Sheet 2	2	Attorney Docket Number	39262/263783
OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T *
AK		International Search Report in related Application No. PCT/US03/39307	
↑		"Epiphyseal Distraction Hemichondrodysplasia," by Roberto Aldegheri, et al., <i>Clinical Orthopaedics and Related Research</i> , Number 241, pp. 128-136, April 1989	
		"Use of an Articulated External Fixator for Fractures of the Tibial Plateau," <i>The Journal of Bone and Joint Surgery</i> , pp. 1498-1509, 1995	
		Articulated External Fixation of Tibial Pilon Fractures: Effects on Ankle and Fragment Kinematics by D. C. Fitzpatrick, et al., 40 th Annual Meeting, Orthopaedic Research Society, February 21-24, 1994, New Orleans, Louisiana, one page	
		ORTHOFIX Brochure entitled "Ankle Fusion Technique," one page, undated	
		ORTHOFIX Brochure entitled "Arthrodiastasis Articulated Joint Distraction" by Dr. G. Trivella and Prof. M. Saleh, 8 pages (undated)	
		ORTHOFIX Operative Technique Brochure by Dr. J. L. Marsh and Dr. F. Lavini entitled "Distal Tibial and Pilon Fractures with the Radiolucent Ankle Clamp," pp. 1-21 (undated)	
↓		ORTHOFIX Operative Technique Brochure entitled "Distal Tibial and Pilon Fractures," by Dr. J. L. Marsh and Dr. F. Lavini, pp. 1-20, 10/16/2002	
AK		<i>Orthopedics Today</i> , Vol. 14, Number 11, "Swedish cartilage repair study offers hope, but more research is needed," pages 1 and 43, November 1994	
Examiner Signature		Anuradha Ramana	Date Considered 5/13/05

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet	1	of	2
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Application Number	10/172,654
Filing Date	June 14, 2002
First Named Inventor	Joseph FERRANTE, et al.
Group Art Unit	3732
Examiner Name	
Attorney Docket Number	39262/273329

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
AR		DE 42 38 582 A1	05/19/1994	Germany		

Examiner Signature

Anuradha Ramani

Data Considered

9/9/04

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1607895



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 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1

of 2

Complete if Known

Application Number	10/172,654
Filing Date	June 14, 2002
First Named Inventor	Joseph FERRANTE, et al.
Group Art Unit	3732
Examiner Name	
Attorney Docket Number	39262/273329

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
AL		2,250,417	07/22/1941	Ettinger	
		2,251,209	07/29/1941	Stader	
		2,346,346	04/11/1944	Anderson	
		2,391,537	12/25/1945	Anderson	
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		3,961,854	06/08/1976	Jaquet	
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		4,483,334	11/20/1984	Murray	
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		4,620,533	11/04/1986	Mears	
		4,848,368	07/18/1989	Kronner	
		4,922,856	05/08/1990	Sweeney, Jr.	
		5,207,876	05/04/1993	Canadell, et al.	
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TECHNOLOGY CENTER PATENT

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
AL		WO 99/22661	05/14/1999	PCT		
		SU 1491-492-A1	08/25/1986	USSR		Abst
		38 05 178 A1	8/31/1989	Germany		Trans
		91 03 480.9	06/08/1991	Germany		No
		2 665 353 A	02/07/1992	Pinard		No
AL		WO 94/18898	09/01/1994	PCT		

Examiner Signature

Anunadha Ramana

Date Considered

9/7/04

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substituta for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete If Known	
		Application Number	10/172,654
		Filing Date	June 14, 2002
		First Named Inventor	Joseph FERRANTE
		Group Art Unit	3732
		Examiner Name	
		Attorney Docket Number	39262/273329
Sheet	2		2

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(USE AS MANY SHEETS AS NECESSARY)

Sheet	2		2
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Examiner Name	
Attorney Docket Number	39262/273329

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

[illegible]

AR

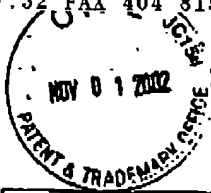
Agee, "External Fixation: Technical Advances Based Upon Multiplanar Ligamentotaxs," *Orthopedic Clinics of North America*, 24(2) (April 1993)

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TECHNOLOGY CENTER RBT00

Examiner Signature	<i>Anuradha Ramani</i>	Date Considered	9/7/04
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Sheet 1 of 2

Form PTO-1449		Docket No.: 39262/273329		Application No. 10/172,654		
INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)		Applicant: Joseph FERRANTE, et al.				
		Filing Date: June 14, 2002		Group Art Unit 3732		
US PATENT DOCUMENTS						
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Sheet 2 of 2

Form PTO-1449		Docket No.: 39262/273329		Application No. 10/172,654		
INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)		Applicant: Joseph FERRANTE, et al.				
		Filing Date: June 14, 2002		Group Art Unit 3732		
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 509; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.						
*Corresponding U.S. application issued as U.S. Patent No. 5,752,954, which is also cited herein						

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